

RESOLUTION NUMBER R- 297855

ADOPTED ON APR 21 2003

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of public service easements by City Council resolution where the easement is no longer required; and

WHEREAS, the affected property owner has requested the vacation of a water and sewer easement in Lots 5 and 6 of Map 12678, to unencumber his property and facilitate development of the site; and

WHEREAS, the City Council finds that:

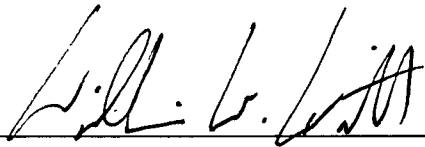
- (a) there is no present or prospective use for the water and sewer easement either for which it was originally acquired, or for any other public use of a like nature that can be anticipated;
- (b) the public will benefit from the vacation through improved utilization of land;
- (c) the vacation is consistent with the General Plan or an approved Community Plan; and
- (d) the public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the water and sewer utility easement in Lots 5 and 6 of Map 12678, as more particularly described in the legal description, attached hereto as Exhibit "A", and as shown on Drawing No. 19603-B, attached hereto as Exhibit "B", is ordered vacated.

2. That the City Clerk shall then cause a certified copy of this resolution with attached exhibits, attested by him under seal, to be recorded in the Office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By 
William W. Witt
Deputy City Attorney

WWW:cdk
03/28/03
Orig.Dept.:Dev.Svcs.
W.O. 410111
Drawing No. 19603-B
R-2003-1167

30000000 00
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EXHIBIT "A"

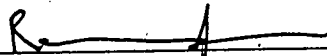
LEGAL DESCRIPTION

SEWER AND WATER EASEMENT ABANDONMENT

ALL THAT PORTION OF SEWER AND WATER EASEMENT IN LOTS 5 AND 6 OF TIERRASANTA GATEWAY, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALFORINA, ACCORDING TO MAP THEREOF NO. 12678, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 8, 1990, IT IS ABANDONED AS SHOWN ON SAID MAP.

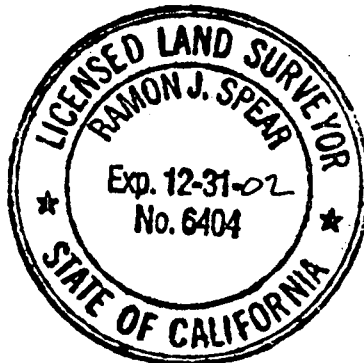
EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID LOT 6 DISTANT THEREON NORTH 14°37'17" EAST 85.36 FEET FROM THE SOUTHWEST CORNER THEREOF; THENCE ALONG SAID WESTERLY LINE NORTH 14°37'17" EAST 24.00 FEET; THENCE LEAVING SAID WESTERLY LINE, SOUTH 74°53'03" EAST 332.82 FEET; THENCE SOUTH 81°04'35" EAST 43.19 FEET TO THE EASTERLY LINE OF SAID LOT 5; THENCE ALONG SAID EASTERLY LINE, SOUTH 14°37'17" WEST 24.12 FEET (RECORD 24.00 FEET PER SAID MAP NO. 12678); THENCE LEAVING SAID EASTERLY LINE, NORTH 81°04'35" WEST 42.09 FEET (RECORD 43.22 FEET PER SAID MAP NO. 12678); THENCE NORTH 74°53'03" WEST 333.91 FEET (RECORD 332.79 FEET PER SAID MO. 12678) TO THE POINT OF BEGINNING.

CONTAINS 0.207 ACRES.


RAMON J. SPEAR

L.S. 6404

10-10-01
DATE



WO# 410111

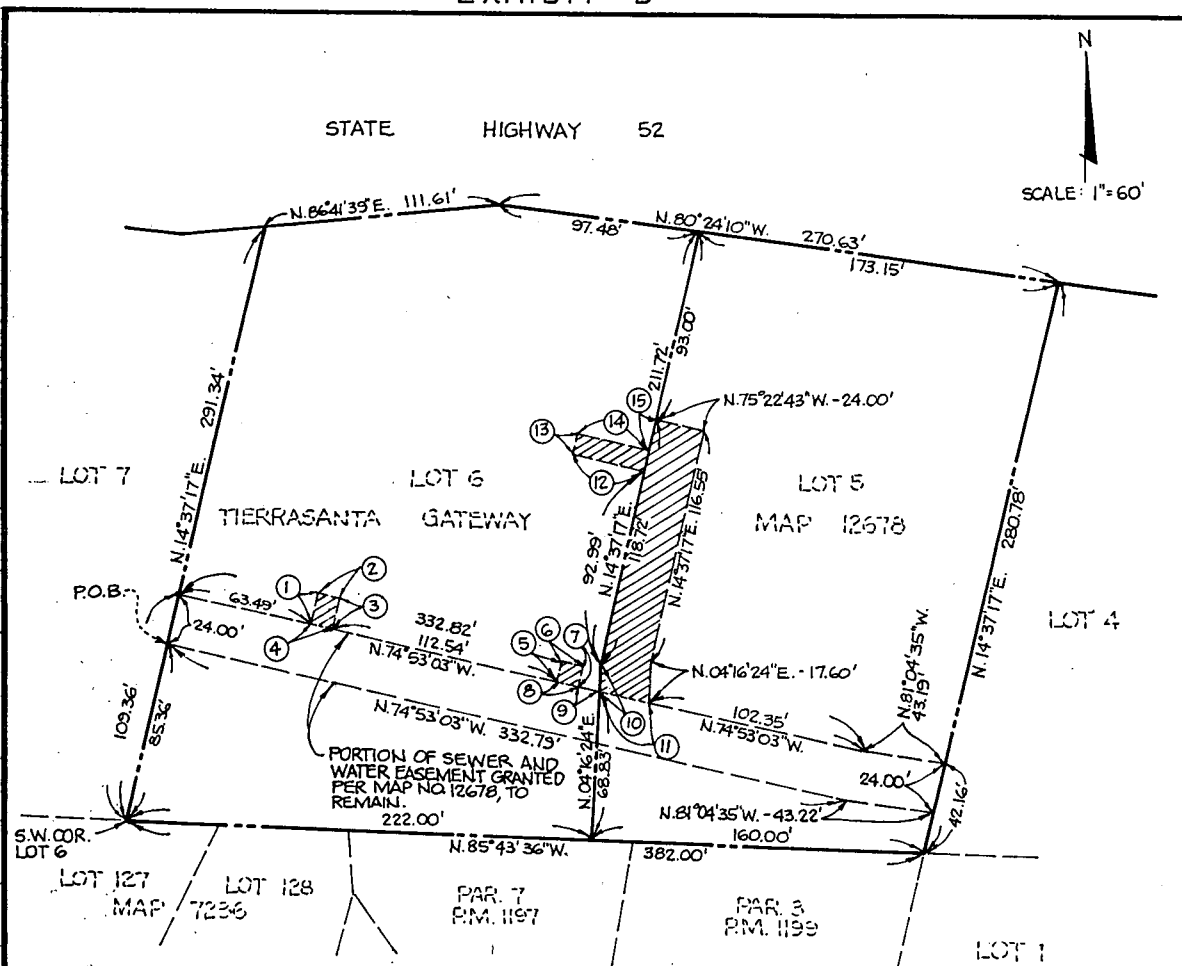
A 01-663

19603-B

EXHIBIT "B"

128430

STATE HIGHWAY 52

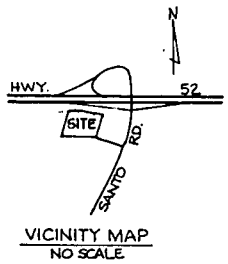
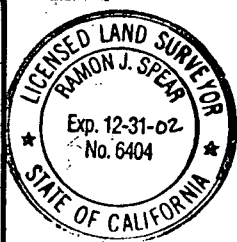


PORTION OF SEWER AND WATER EASEMENT GRANTED PER MAP NO. 12678, TO REMAIN.
222.00'

INDICATES SEWER AND WATER EASEMENT GRANTED PER MAP NO. 12678, ABANDONED.

- ① N.15°06'57"E. - 15.00'
- ② N.74°53'03"W. - 10.00'
- ③ N.15°06'57"E. - 15.00'
- ④ N.74°53'03"W. - 10.00'
- ⑤ N.15°06'57"E. - 10.00'
- ⑥ N.74°53'03"W. - 10.00'
- ⑦ N.15°06'57"E. - 10.00'
- ⑧ N.74°53'03"W. - 10.00'
- ⑨ N.74°53'03"W. - 10.00'
- ⑩ N.04°16'24"E. - 15.17'
- ⑪ N.74°53'03"W. -
- ⑫ N.75°22'43"W. - 35.00'
- ⑬ N.14°37'17"E. - 10.00'
- ⑭ N.75°22'43"W. - 35.00'
- ⑮ N.14°37'17"E. - 15.73'

BASIS OF BEARINGS
THE BEARING N.85°43'36"W. FOR THE SOUTHERLY LINE OF LOTS 5 AND 6 OF MAP NO. 12678 WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.



APN 372-300-05 & 06 EXHIBIT "B"

SPEAR & ASSOCIATES, INC.
750 N. CITRACADO PKWY. - SUITE 2
ESCONDIDO, CA. 92029
PHONE: (760) 737-7272

BY: *R. J. Spear* 10-10-01
RAMON J. SPEAR LS 6404 DATE

SEWER AND WATER EASEMENT ABANDONMENT
IN LOTS 5 AND 6, MAP NO. 12678

| | | | | | | |
|-------------|-----|----------|------|--------|-------------------------------|---------------------|
| DESCRIPTION | BY | APPROVED | DATE | FILMED | CITY OF SAN DIEGO, CALIFORNIA | W.O. NO. |
| ORIGINAL | S&A | | | | SHEET 1 OF 1 SHEETS | 410111 |
| | | | | | <i>Seppenes</i> 10-18-01 | A 01-663 |
| | | | | | FOR CITY ENGINEER, DATE | 1886-6297 |
| | | | | | DIVISION HEAD | NAD'83 COORDINATES |
| | | | | | SECTION HEAD | 246-1737 |
| | | | | | | LAMBERT COORDINATES |
| | | | | | | 19603 - B |

R-297855